



Senate

General Assembly

File No. 396

February Session, 2000

Substitute Senate Bill No. 600

Senate, April 4, 2000

The Committee on Judiciary reported through SEN. WILLIAMS of the 29th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

An Act Concerning Escapes From Community Release Programs.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (e) of section 18-100 of the general statutes is
2 repealed and the following is substituted in lieu thereof:

3 (e) If the Commissioner of Correction deems that the purposes of
4 this section may thus be more effectively carried out, [he] the
5 commissioner may transfer any person from one correctional
6 institution to another or to any public or private nonprofit halfway
7 house, group home or mental health facility with the concurrence of
8 the warden, superintendent or person in charge of the facility to which
9 [said] such person is being transferred. Any [inmate] person so
10 transferred shall remain under the jurisdiction of said commissioner. A
11 person who has previously escaped from any public or private
12 nonprofit halfway house, group home or mental health facility or
13 community residence to which such person was transferred pursuant

14 to this subsection or section 18-100c, as amended by this act, shall not
15 be eligible to be transferred to any public or private nonprofit halfway
16 house, group home or mental health facility or community residence
17 pursuant to this subsection unless such person has four months or less
18 remaining on such person's sentence.

19 Sec. 2. Section 18-100c of the general statutes is repealed and the
20 following is substituted in lieu thereof:

21 A person convicted of a crime who is incarcerated on or after July 1,
22 1993, who received a definite sentence of two years or less, and who
23 has been confined under such sentence for not less than one-half of the
24 sentence imposed by the court, less such time as may have been earned
25 under the provisions of section 18-7, 18-7a, 18-98a, 18-98b or 18-98d,
26 may be released pursuant to subsection (e) of section 18-100, as
27 amended by this act, or to any other community correction program
28 approved by the Commissioner of Correction. A person who has
29 previously escaped from any public or private nonprofit halfway
30 house, group home or mental health facility or community residence to
31 which such person was transferred pursuant to this section or
32 subsection (e) of section 18-100, as amended by this act, shall not be
33 eligible to be released pursuant to this section unless such person has
34 four months or less remaining on such person's sentence.

35 Sec. 3. (NEW) An inmate's eligibility to be released from
36 confinement to a public or private, nonprofit halfway house, group
37 home or mental health facility or other community correction program
38 pursuant to subsection (e) of section 18-100 of the general statutes, as
39 amended by this act, or section 18-100c of the general statutes, as
40 amended by this act, shall be determined by a committee at each
41 correctional institution responsible for the classification of inmates
42 according to their risk. A decision by such committee that an inmate is
43 ineligible for release may not be overruled by the warden of such
44 correctional institution.

45 Sec. 4. (NEW) (a) There is established a Fugitive Task Force within
46 the Division of State Police within the Department of Public Safety.

47 (b) The task force shall be responsible for the apprehension of
48 persons charged with a violation of section 53a-169 of the general
49 statutes.

50 (c) The task force may request and may receive from any federal,
51 state or local agency, cooperation and assistance in the performance of
52 its duties, including the temporary assignment of personnel necessary
53 to carry out the performance of its functions.

54 (d) The task force may enter into mutual assistance and cooperation
55 agreements with other states pertaining to the apprehension of
56 fugitives extending across state boundaries and may consult and
57 exchange information and personnel with agencies of other states with
58 reference to matters of mutual concern with respect to the
59 apprehension of fugitives.

60 (e) The Commissioner of Public Safety shall appoint a commanding
61 officer and such other personnel as the commissioner deems necessary
62 for the duties of the task force including a representative from the
63 Department of Correction and from the Connecticut Police Chiefs
64 Association.

JUD Committee Vote: Yea 39 Nay 1 JFS

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact: Cost

Affected Agencies: Departments of Public Safety and Correction

Municipal Impact: Potential Minimal Cost

Explanation**State and Municipal Impact:**

Passage of the bill, which creates a Fugitive Task Force within the State Police in the Department of Public Safety (DPS) to apprehend escapees, would result in an estimated total first year cost of \$500,000 with subsequent annual costs of about \$458,000 (not including fringe benefits). The comments below describe these costs in greater detail.

The Department of Public Safety estimates that such a task force would require 6 positions in DPS and 2 positions in the Department of Correction (DOC). DPS positions include 1 Sergeant, 4 Troopers, and 1 Office Assistant at an annual salary cost of \$262,000. The 2 Corrections Officers positions have an annual salary of about \$40,000 each. One-time equipment costs would be about \$42,000, and annual supply costs would be about \$20,000.

DPS further estimates the need for 4 municipal police officers for the task force. An additional \$96,000 per year is for a stipend for the services of 4 municipal officers. An estimated stipend of \$2,000 per

month per officer is based on the amount paid for municipal members of the State-wide Narcotics Task Force.

DOC has an inmate population of over 17,500 inmates with approximately an additional 2,000 on transitional supervision or halfway house programs in the community. Currently, there are 48 offenders that are classified as escapees from halfway houses and 57 that are classified as escapees from transitional supervision. Since 1997, there has only been one escape from a state correctional institution.

Finally, it is not anticipated that restricting the Commissioner's inmate placement authority and prohibiting DOC wardens from overruling classification committees will result in the need for additional resources.

OLR Bill Analysis

sSB 600

AN ACT CONCERNING ESCAPES FROM COMMUNITY RELEASE PROGRAMS.**SUMMARY:**

This bill creates a Fugitive Task Force within the State Police to apprehend escapees from a correctional facility or placement, and restricts the ability of the commissioner of the Department of Correction (DOC) to place inmates in halfway houses, group homes, or other community placements. Finally, it prohibits DOC institution wardens from overruling an institution classification committee's decision that an inmate is ineligible for community release.

EFFECTIVE DATE: October 1, 2000

FUGITIVE TASK FORCE

The task force is responsible for apprehending people charged with first-degree escape, a class C felony if the escapee's underlying offense is a felony and a class A misdemeanor otherwise. It is located in the Division of State Police within the Department of Public Safety (DPS).

The bill requires the public safety (DPS) commissioner to appoint a commanding officer for the task force and one representative, respectively, from the Connecticut Police Chiefs' Association and DOC. He must also appoint other personnel he deems necessary.

The task force may enter into mutual assistance and cooperation agreements with other states regarding apprehending fugitives across state boundaries. It may consult with and exchange information and personnel with agencies in other states, and ask for and receive federal, state, and local assistance, including temporary assignment of personnel.

RESTRICTIONS ON RELEASE OF INMATES

The bill prohibits the DOC commissioner from releasing an inmate to a public or private nonprofit halfway house, group home, or mental health facility or other approved community residence until the inmate has four months or less remaining on his sentence if he previously escaped from such a placement.

The bill also requires each correctional institution's classification committee to determine if an inmate is eligible for release under one of these programs. It prohibits the institution's warden from releasing an inmate if the committee has found him ineligible. Presumably, the warden could overrule the committee's decision that a particular inmate is eligible.

BACKGROUND

First Degree Escape

First-degree escape consists of:

1. escaping from a correctional institution;
2. escaping from a group home, halfway house, mental health facility, or community placement while under the custody of the correction commissioner;
3. escaping from a correctional work detail or school;
4. failing to return from a correctional furlough, work release, or education release;
5. escaping from a mental hospital while confined as not guilty by reason of mental disease or defect; or
6. leaving the state while under the authority of the Psychiatric Security Review Board without its authorization.

Inmate Classification Committees

The DOC uses an ongoing classification process to evaluate each

inmate's security risk and need for appropriate confinement, treatment, programs, and employment assignment. DOC tracks each inmate during his confinement and periodically reevaluates his classification. The initial classification is done on admission, but after that, reclassifications are done in each institution by a committee usually made up of a major, a counselor supervisor, and one or two counselors, one of whom advocates for the inmate.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable Substitute

Yea 39 Nay 1